

EXHIBIT

No. 12

UNITED STATES DISTRICT COURT
DISTRICT OF DELAWARE

J-SQUARED TECHNOLOGIES, INC.; and)
J-SQUARED TECHNOLOGIES)
(OREGON), INC.,)

C.A. No. 04-CV-960-SLR

Plaintiffs,)

vs.)

MOTOROLA, INC.,)

Defendant.)

**DEFENDANT'S FIRST SUPPLEMENTAL RULE 26(a) DISCLOSURE
STATEMENT**

Defendant Motorola, Inc., hereby submits the following first supplement to its initial disclosure pursuant to Rule 26(a)(1) of the Federal Rules of Civil Procedure and District of Delaware LR 16.2. This disclosure is based upon information in the possession of Motorola at the time of the preparation of this disclosure, after diligent inquiry. Motorola reserves its right to supplement, amend, and/or correct disclosures as discovery progresses.

I. Rule 26(a)(1)(A)

The following individuals are "likely to have discoverable information" that Motorola "may use to support its . . . defenses."

1. Kim Crawford
c/o Randy Papetti
Lewis and Roca LLP
40 North Central Avenue
Phoenix, AZ 85004-4429
(602) 262-5311

Mr. Crawford is the Global Account Director for Nortel for Motorola's Embedded Communications Computing business, previously the Motorola Computer Group. He has knowledge of the Motorola Computer Group's business development.

2. Julie Blair
c/o Randy Papetti
Lewis and Roca LLP
40 North Central Avenue
Phoenix, AZ 85004-4429
(602) 262-5311

Ms. Blair is a General Accounting Analyst for Motorola's Embedded Communications Computing business. She has knowledge of point of sale activity reports for J-Squared Canada and J-Squared Oregon and payment of J-Squared's commissions.

3. Steve Machernis
c/o Randy Papetti
Lewis and Roca LLP
40 North Central Avenue
Phoenix, AZ 85004-4429
(602) 262-5311

Mr. Machernis was North America Eastern Regional Sales Manager for Motorola's Embedded Communications Computing business. He has knowledge of J-Squared's sales activities.

4. Dana Huth
c/o Randy Papetti
Lewis and Roca LLP
40 North Central Avenue
Phoenix, AZ 85004-4429
(602) 262-5311

Mr. Huth is Business Development Director for Motorola's Embedded Communications Computing business. He has knowledge of J-Squared's sales activities.

5. David Bensted
c/o Randy Papetti
Lewis and Roca LLP
40 North Central Avenue
Phoenix, AZ 85004-4429
(602) 262-5311

Mr. Bensted is Contract Manager for Motorola's Embedded Communications Computing business. He has knowledge regarding Motorola's contracts with J-Squared and their termination.

6. Kaifei Chin
c/o Randy Papetti
Lewis and Roca LLP
40 North Central Avenue
Phoenix, AZ 85004-4429
(602) 262-5311

Mr. Chin was a field engineer for the Motorola Computer Group. He has knowledge regarding J-Squared Canada's performance.

7. Nina Guibor
c/o Randy Papetti
Lewis and Roca LLP
40 North Central Avenue
Phoenix, AZ 85004-4429
(602) 262-5311

Ms. Guibor was the Distribution Controller for the Motorola Computer Group. She has knowledge regarding contract and financial information related to J-Squared.

8. Susan Hamlett
c/o Randy Papetti
Lewis and Roca LLP
40 North Central Avenue
Phoenix, AZ 85004-4429
(602) 262-5311

Ms. Hamlett was a Contract Manager for the Motorola Computer Group. She has knowledge regarding contract policies and practices for Motorola's Embedded Communications Computing business and knowledge regarding contract negotiations with plaintiffs.

9. Paul Holt
c/o Randy Papetti
Lewis and Roca LLP
40 North Central Avenue
Phoenix, AZ 85004-4429
(602) 262-5311

Mr. Holt was Director of North American Sales for the Motorola Computer Group and the Nortel Global Account Director for MCG. He has knowledge regarding discussions with J-Squared Canada and the relationship with the Motorola Computer Group.

10. Jeanne Kolasa
c/o Randy Papetti
Lewis and Roca LLP
40 North Central Avenue
Phoenix, AZ 85004-4429
(602) 262-5311

Ms. Kolasa handled contracts for the Motorola Computer Group. She has knowledge regarding contract policies and practices for the Motorola Computer Group and knowledge regarding contract negotiations with plaintiffs.

11. Denis McCarthy
c/o Randy Papetti
Lewis and Roca LLP
40 North Central Avenue
Phoenix, AZ 85004-4429
(602) 262-5311

Mr. McCarthy served as Acting General Manager, Director of Finance and VP of Sales and Marketing for the Motorola Computer Group. He has knowledge regarding the practices of MCG and his execution of the agreement with J-Squared Canada on December 5, 2002.

12. Tom Nallen
c/o Randy Papetti
Lewis and Roca LLP
40 North Central Avenue
Phoenix, AZ 85004-4429
(602) 262-5311

Mr. Nallen is worldwide finance controller for sales and general accounting for Motorola's Embedded Communications Computing business. He has knowledge regarding Motorola's decision to analyze the manufacturing representative situation.

13. Rob Pettigrew
c/o Randy Papetti
Lewis and Roca LLP
40 North Central Avenue
Phoenix, AZ 85004-4429
(602) 262-5311

Mr. Pettigrew was a field applications engineer for the Motorola Computer Group. He has knowledge regarding communications and training with J-Squared Canada.

14. Dennis Robinson
c/o Randy Papetti
Lewis and Roca LLP
40 North Central Avenue
Phoenix, AZ 85004-4429
(602) 262-5311

Mr. Robinson was an account executive with the Motorola Computer Group. He has knowledge regarding the selection of J-Squared Oregon as a manufacturing representative for Motorola and its performance in that capacity.

15. Larry Terry
c/o Randy Papetti
Lewis and Roca LLP
40 North Central Avenue
Phoenix, AZ 85004-4429
(602) 262-5311

Mr. Terry was an account executive with the Motorola Computer Group. He has knowledge regarding the selection of J-Squared Canada as a manufacturing representative for Motorola.

16. Marc Watts
c/o Randy Papetti
Lewis and Roca LLP
40 North Central Avenue
Phoenix, AZ 85004-4429
(602) 262-5311

Mr. Watts was an account executive with the Motorola Computer Group. He has knowledge regarding the selection of manufacturing representative for Motorola.

17. Any and all persons listed by any other party.

II. Rule 26(a)(1)(B)

Motorola may use any of the following documents to support its defenses (Motorola is providing a privilege log herewith):

- (1) Julie Blair J-Squared NW Oregon File identified as MOTJ 00001 through 00055.
- (2) Julie Blair JSquared CAN File identified as MOTJ 00056-134.

- (3) Julie Blair JSquared Technologies-NW (Oregon) Lisa File identified as MOTJ 00135 through 00150.
- (4) Julie Blair JSquared Technologies, Inc. CAN Lisa File identified as MOTJ 00151 through MOTJ 00160.
- (5) Julie Blair MR Cancel File identified as MOTJ 00161 through 00189.
- (6) Julie Blair Shutdown Legal File defied as MOTJ 00190 through MOTJ 00250.
- (7) Documents provided by David Bensted identified as MOTJ 00251 through 00346.
- (8) Dana Huth MANUFACTURING REPS File identified as MOTJ 00347 through 00360.
- (9) Jeanne Kolasa JSquared File identified as MOTJ 00361 through 00442.
- (10) Jeanne Kolasa Email identified as MOTJ 00443 through 00562.
- (11) Documents provided by Janie Navarez identified as MOTJ 00563 through 00584.
- (12) Larry Terry File identified as MOTJ 00585 through 00671.
- (13) Motorola may also use miscellaneous documents with a MOT prefix as set forth in the attached Exhibit A. Documents within the ranges provided below were provided by the custodians as noted:
 - a. Emails and attachments provided from Julie Blair identified as MOT 00685 through MOT 01577.
 - b. Files provided by Marc Watts of Motorola identified as MOT 01869 through MOT 01901.
 - c. Files provided by David Bensted of Motorola identified as MR Termination MOT 02046 through MOT 02125.
 - d. Email provided by David Bensted of Motorola identified as MOT 02170 through MOT 03660.
- (14) All answers to interrogatories by any party.

- (15) All responses to requests for admissions by any party.
- (16) All documents produced in response to requests for production by any party.
- (17) All depositions taken in this matter and exhibits thereto.
- (18) Any and all expert reports, calculations, and/or articles relied on or reviewed by any expert in this case.
- (19) Without waiving any objection, any and all documents listed by any party.

III. Rule 26(a)(1)(C)

Motorola does not seek any affirmative damages in this case apart from its reasonable costs and attorneys' fees as allowed by law.

IV. Rule 26(a)(1)(D)


Motorola is not aware of "any insurance agreement under which any person carrying on an insurance business may be liable to satisfy part or all of a judgment which may be entered in the action or to indemnify or reimburse for payments made to satisfy the judgment" in this action.

DATED: July 6, 2005.

YOUNG CONAWAY STARGATT & TAYLOR, LLP
William W. Bowser (No. 2239)

and

LEWIS AND ROCA LLP



Randy Papetti
Richard A. Halloran
Cory A. Talbot
40 N. Central Avenue
Phoenix, Arizona 85004
(602) 262-5311

Attorneys for Defendant

CERTIFICATE OF SERVICE

I, Cory A. Talbot, do hereby certify that on July 6, 2005, true and correct copies of Defendant's First Supplemental Rule 26(s) Disclosure Statement were caused to be served upon counsel of record at the following addresses as indicated:

Via Federal Express:

David A. Felice
Cozen O'Connor
Chase Manhattan Centre
1201 N. Market Street, Suite 1400
Wilmington, DE 19801

Via Facsimile:

Kevin F. Berry
Cozen O'Connor
1900 Market Street
Philadelphia, PA 19103

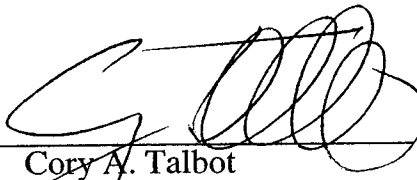

Cory A. Talbot

EXHIBIT A

To Motorola's First Supplemental Disclosure Statement

MOT 00729 - 00744
MOT 00749 - 00759
MOT 00761 - 00764
MOT 00773 - 00783
MOT 00791
MOT 00792
MOT 00796
MOT 00801 - 00811
MOT 00829 - 00830
MOT 00845 - 00850
MOT 00852 - 00855
MOT 00903
MOT 00923 - 00926
MOT 00993
MOT 01159
MOT 01230
MOT 01305
MOT 01481 - 01482
MOT 01494
MOT 01498
MOT 01551
MOT 01544
MOT 01555 - 01556
MOT 01869 - 01901
MOT 02046 - 02075
MOT 02085 - 02090
MOT 02097
MOT 02117 - 02125
MOT 02170 - 02171
MOT 02192 - 02193
MOT 02215 - 02216
MOT 02218
MOT 02473
MOT 02219 - 02221
MOT 02222 - 02224
MOT 02225 - 02227
MOT 02228
MOT 02229 - 02236
MOT 02456
MOT 02458
MOT 02469 - 2471
MOT 02474 - 2500
MOT 02503 - 02505
MOT 02510 - 2520
MOT 02527 - 2548
MOT 02551
MOT 02558 - 2637
MOT 03658 - 3660